

TOYA149.001APC



PATENT

*IFU*  
*Receipt*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yamaguchi, et al.  
Appl. No. : 10/576,030  
Filed : April 13, 2006  
For : METHOD FOR PRODUCING  
SCYLLO-INOSITOL  
Examiner : Unknown

Group Art Unit 1632

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

July 31, 2006

(Date)

*Che S. Chereskin*

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Office of Initial Patent Examination  
Customer Service Center  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that the Official Filing Receipt, a copy of which is enclosed, be corrected to reflect the true title of the invention. Presently, the Filing Receipt incorrectly shows the title as Process for Producing Scyllo-Inositol. The correct title is METHOD FOR PRODUCING SCYLLO-INOSITOL. Supporting document for the requested correction is provided herewith.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 31, 2006

By: *Che S. Chereskin*

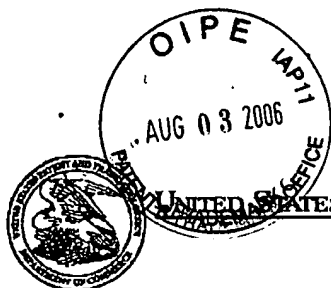
Che Swyden Chereskin, Ph.D.

Registration No. 41,466

Agent of Record

Customer No. 20,995

(949) 760-0404



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/576,030	04/13/2006	1632	5510	TOYA149001APC	1	47	15

CONFIRMATION NO. 2081

20995  
 KNOBBE MARTENS OLSON & BEAR LLP  
 2040 MAIN STREET  
 FOURTEENTH FLOOR  
 IRVINE, CA 92614

## FILING RECEIPT



\*OC000000019675784\*

Date Mailed: 07/24/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Masanori Yamaguchi, Zama-shi, JAPAN;  
 Yuichi Kita, Atsugi-shi, JAPAN;  
 Tetsuya Mori, Ebina-shi, JAPAN;  
 Kenji Kanbe, Yokohama-shi, JAPAN;  
 Akihiro Tomoda, Tokyo, JAPAN;  
 Atsushi Takahashi, Kawasaki-shi, JAPAN;  
 Wakako Ichikawa, Yokohama-shi, JAPAN;

**Power of Attorney:** The patent practitioners associated with Customer Number 20995.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP04/15174 10/14/2004

## Foreign Applications

JAPAN 2003-353490 10/14/2003  
 JAPAN 2003-353491 10/14/2003  
 JAPAN 2004-018128 01/27/2004  
 JAPAN 2004-194088 06/30/2004

If Required, Foreign Filing License Granted: 07/19/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/576,030**

Projected Publication Date: 10/26/2006

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Process for producing scyllo-inositol  
516 METHOD

**Preliminary Class**

435

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**NATIONAL PHASE  
UTILITY APPLICATION**

**Transmittal to the (DO/EO/US)  
Under 35 USC 371**

Attorney Docket No.: TOYA149.001APC  
First Named Inventor: Masanori Yamaguchi  
Int'l Application No.: PCT/JP2004/015174  
Int'l Filing Date: October 14, 2004  
Priority Date Claimed: October 14, 2003  
Title: METHOD FOR PRODUCING SCYLLO-INOSITOL  
(amended)  
Express Mail Label No.: EV 718229552 US

**Direct all correspondence to Customer No.: 20995**

Date: April 13, 2006  
Page 1 of 3

**Mail Stop PCT**  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria VA 22313-1450

The following enclosures are transmitted herewith to be filed in the patent application of:

**Inventors:**

1. Masanori Yamaguchi
2. Yuichi Kita
3. Tetsuya Mori
4. Kenji Kanbe
5. Akihiro Tomoda
6. Atsushi Takahashi
7. Wakako Ichikawa

**APPLICATION ELEMENTS:**

- (X) This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
- (X) This is an Express Request to begin national examination procedures (35 U.S.C. § 371(f)).
- (X) A copy of the International Application as filed (35 U.S.C. § 371(c)(2)) has been communicated by the International Bureau. (X) PCT/IB/308 enclosed.
- (X) An English translation of the International Application as filed is attached hereto.
- (X) Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3)) have not been and will not be made.
- (X) An Oath or Declaration signed by the inventors (35 U.S.C. § 371(c)(4)).

**OTHER APPLICATION PARTS:**

- (X) Preliminary Amendment in 13 pages.
- (X) Sequence Listing on paper in 26 pages. Sequence Listing in CRF in duplicate.
- (X) Recordation form cover sheet and Assignment in 3 total pages (cover sheet & assignment).
- (X) An Information Disclosure Statement and PTO/SB/08 equivalent listing and enclosing 5 references for consideration.
- (X) One (1) sheet of drawing.
- (X) Deposit Certifications for Microorganism (4 pg).

<b>NATIONAL PHASE UTILITY APPLICATION</b>  <b>Transmittal to the (DO/EO/US) Under 35 USC 371</b>	Attorney Docket No.: TOYA149.001APC First Named Inventor: Masanori Yamaguchi Int'l Application No.: PCT/JP2004/015174 Int'l Filing Date: October 14, 2004 Priority Date Claimed: October 14, 2003 Title: METHOD FOR PRODUCING SCYLLO-INOSITOL (amended) Express Mail Label No.: EV 718229552 US
<b>Direct all correspondence to Customer No.: 20995</b> <span style="float: right;">Date: April 13, 2006 Page 2 of 3</span>	

- (X) Form PCT/IB/304.
- (X) International Application as Published (1st pg).
- (X) Return prepaid postcard.

**FILING FEES:**

FEE CALCULATION				
FEE TYPE & DETERMINATION		LARGE FEE	CALCULATION	TOTAL
Basic Filing Fee under 1.492(a)		1631 (\$300)		\$300
Search Fee under 1.492(b) <i>(enter one in TOTAL column)</i>				
(1)	USPTO was ISA/IPEA & claims satisfy Art. 33 (1)-(4)	1640 (\$0)		\$400
(2)	USPTO was the ISA (noncompliant claims)	1641 (\$100)		
(3)	Foreign Search Report Enclosed	1642 (\$400)		
(4)	No Search Report Enclosed	1632 (\$500)		
Examination Fee under 1.492(c) <i>(enter one in TOTAL column)</i>				
(1)	USPTO was ISA/IPEA & claims satisfy Art. 33 (1)-(4)	1643 (\$0)		\$200
(2)	Non US IPEA or Noncompliant Claims	1633 (\$200)		
Excess Claims	52 - 20 = 32	1615 (\$50)	31 x 50 =	\$1,600
Excess Ind. Claims	15 - 3 = 12	1614 (\$200)	12 x 200 =	\$2,400
Multiple Dep. Claim		1616 (\$360)		\$360
Application Size Fee	137 - 100 = 37	1681 (\$250)	1 x 250 =	\$250
Assignment		8021 (\$40)	* x 40 =	\$40
<b>TOTAL FEE PAID (If Different Than Fee Due)</b>				<b>\$5,550</b>

- (X) A check in the amount of \$5,550 to cover the Total Fee Due is enclosed.

**NATIONAL PHASE  
UTILITY APPLICATION**

**Transmittal to the (DO/EO/US)  
Under 35 USC 371**

Attorney Docket No.: TOYA149.001APC  
First Named Inventor: Masanori Yamaguchi  
Int'l Application No.: PCT/JP2004/015174  
Int'l Filing Date: October 14, 2004  
Priority Date Claimed: October 14, 2003  
Title: METHOD FOR PRODUCING SCYLLO-INOSITOL  
(amended)  
Express Mail Label No.: EV 718229552 US

**Direct all correspondence to Customer No.: 20995**

Date: April 13, 2006  
Page 3 of 3

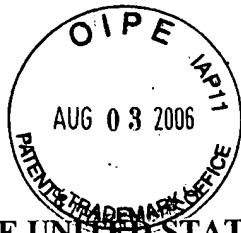
The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.



Che Swyden Chereskin, Ph.D.  
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2505242  
040606

TOYA149.001APC



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Yamaguchi, et al.  
Int'l Appl. No. : PCT/JP2004/015174  
Int'l filing date : October 14, 2004  
For : METHOD FOR PRODUCING  
SCYLLO-INOSITOL (amended)  
Examiner : unknown  
Group Art Unit : unknown

**PRELIMINARY AMENDMENT AND  
VERIFICATION UNDER 37 C.F.R. § 1.821 (f)**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Preliminary to examination on the merits, please amend the above-captioned U.S. application as follows.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 5 of this paper.

**Remarks/Arguments** begin on page 13 of this paper.



Int'l Appl. No. : PCT/JP2004/015174  
Int'l filing date : October 14, 2004

## AMENDMENTS TO THE SPECIFICATION

*Please amend the title as shown:*

PROCESS METHOD FOR PRODUCING SCYLLO-INOSITOL

*On page 1 of the Specification, after the Title of the Invention and before the Technical Field starting on line 1, please insert the following section:*

### Related Applications

This application is the U.S. National Phase under 35 U.S.C. § 371 of International Application PCT/JP2004/015174, filed October 14, 2004, which claims priority to JP 2003-353490, filed October 14, 2003; JP 2003-353491, filed October 14, 2003; JP 2004-018128, filed January 27, 2004; and JP 2004-194088, filed June 30, 2004.

*Please correct the following numbered paragraphs as shown:*

[0237]

Next, to confirm the scyllo-inositol dehydrogenase activity, the microbial strains isolated as colonies were transferred to 100 ml of LB medium (1% bacto-tryptone, 0.5% yeast extract, 1% NaCl, pH 7.0) containing 50 µg/ml ampicillin, and they were cultured at 36°C for 7 hours. 0.3 ml of 200 mM thiogalactopyranoside solution was added to the culture solution, and the cells were further cultured at 36°C for 3 hours. After completion of the culture, the cells were collected by centrifugation and washed with physiological saline once. Then, the washed cells were suspended in 3 ml of 0.6% Triton X-100 solution, and the cells were disrupted by ultrasonic wave at 4°C. The solution was centrifuged, and 2.8 ml of the supernatant (enzyme solution) was taken out. 1.2 g of ammonium sulfate was added to the supernatant to salt out proteins at 4°C. The salted-out proteins were collected by centrifugation (15,000 rpm, 20 min), and the supernatant was removed. The precipitates were dissolved in 2.5 ml of 20 mM Tris buffer (pH 7.0), and the solution was centrifuged (15,000 rpm, 20 min) again. The supernatant was applied onto ~~Shephadex~~Sephadex G-25 column (Pharmacia K.K.: 14 ml) equilibrated with 20 mM Tris buffer (pH 7.0). Elution was performed with 20 mM Tris buffer (pH 7.0), and the